

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

S.A.No.1452 of 2010
and
M.P.No.1 of 2010

M/s.Jay & Jay Enterprises,
Rep. by its Managing Director,
695, Avinashi Road,
Pappanaickenpalayam,
Coimbatore.

.. Appellant

Vs.

1. Vijayarajan
2. Gopalakrishnan @ Rajarajan

(Respondents 1 and 2 declared as majors
and the guardianship of their mother,
the third respondent viz., Manimehalai has
been discharged, vide order of this Court,
dated 09.06.2017 made in
C.M.P.Nos.8785 and 7001 of 2017 in
S.A.No.1452 of 2010)

3. Mrs.Manimehalai
4. Mrs.Pachainayagi
5. Mrs.Padmavathi
6. Ponmozhi
7. Lakshmi
8. Mrs.R.Rajamani
9. Mrs.N.Radhamani
10. S.Kandasamy

.. Respondents

Second Appeal filed under Section 100 of the Code of Civil Procedure as
against the judgment and decree dated 15.02.2010 in A.S.No.142 of 2007 on the

file of the First Additional District Court, Coimbatore, against the judgment and decree dated 19.07.2006 in O.S.No.271 of 1993 on the file of the Subordinate Court, Coimbatore.

For Appellant : Mr.R.Bharath Kumar

For Respondents : Mr.C.R.Prasanan for RR-1 to 3

Mr.M.Parthasarathy for RR-8 and 9

Mr.V.Ayyapparaja for R-10

Not ready in notice regarding RR-4 to 7
(not contesting parties)

JUDGMENT

The appellant-Company represented by its Authorised Signatory and the respondents 1 to 3 and 10 are present before this Court. It is stated that the respondents 4 to 7 are not the contesting parties and respondents 8 and 9 are represented by their counsel and they have no role to play in the compromise. The appellant-Company and the respondents 1 to 3 and 10 have filed joint memorandum of compromise, dated 14.06.2017, which has been signed by them and their respective counsels and they prayed that the terms of joint memorandum of compromise may be recorded and the appeal may be disposed of in terms thereof. In pursuant to the said joint memorandum of compromise, the respondents 1 to 3 have received the following Demand Drafts in original (copy produced before this Court) from the Authorised Signatory of the

appellant-Company:

(i) DD No.959582, dated 12.06.2017 drawn on Indian Bank, Coimbatore Main Branch (Service Branch) in favour of G.Vijayarajan (first respondent) for Rs.1,75,00,000/-.

(ii) DD No.959583, dated 12.06.2017 drawn on Indian Bank, Coimbatore Main Branch (Service Branch), in favour of G.Gopalakrishnan (second respondent) for Rs.1,75,00,000/-, and

(iii) DD No.959584, dated 12.06.2017 drawn on Indian Bank, Coimbatore Main Branch (Service Branch) in favour of G.Manimehalai (third respondent) for Rs.50,00,000/-.

2. Hence, while recording the terms of the joint memorandum of compromise, the appeal is disposed of in terms thereof. The joint memorandum of compromise shall form part of the decree. No Costs. The Miscellaneous Petition is closed.

14.06.2017

cs/sts

Copy to

1. The First Additional District Court, Coimbatore.
2. The Subordinate Judge, Tiruppur.
3. The Section Officer, V.R. Section, High Court, Madras.

S. VAIDYANATHAN, J

cs/sts

S.A.No.1452 of 2010

14.06.2017

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